

SUPREME COURT OF ILLINOIS

FRIDAY, MAY 24, 2002

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.17952 - In re: David I. Roth. Disciplinary Commission.

The motion by David I. Roth to reconsider the Court's order of March 22, 2002, denying the petition to impose discipline on consent is denied.

Order entered by the Court.

M.R.18008 - In re: Larry S. Mayster. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent Larry S. Mayster is censured, as recommended by the Review Board.

Order entered by the Court.

M.R.18021 - In re: Edward B. Bartoli. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Edward B. Bartoli is disbarred.

Order entered by the Court.

M.R.18023 - In re: Robert Leo Coyne. Disciplinary Commission.

The motion of respondent Robert Leo Coyne to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a), effective February 24, 2002, is continued until further order, with leave given to respondent to file, on or before June 14, 2002, an amended motion which does not contain a request for retroactive application of disbarment. If an amended motion is not timely filed, the motion to strike name will be denied without further notice. If an amended motion is timely filed, a statement of charges and affidavit under Rule 762(a) shall be filed anew.

Order entered by the Court.

On the Court's own motion, respondent Robert Leo Coyne is suspended from the practice of law on an interim basis, effective immediately and until further order, pursuant to Supreme Court Rule 774.

Order entered by the Court.

M.R.18030 - In re: Alan Arthur Loiben. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Alan Arthur Loiben is suspended from the practice of law for five (5) months.

Respondent Alan Arthur Loiben shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18053 - In re: Anne Spencer Ellis. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Anne Spencer Ellis is suspended from the practice of law for five (5) months and until restitution in the amount of \$2000 is made to the American Bar Association.

Respondent Anne Spencer Ellis shall reimburse the Disciplinary Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18071 - In re: Thomas Michael Doyle. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed. Respondent Thomas Michael Doyle is suspended from the practice of law for one (1) year and until he makes restitution of \$7,020.12, with interest compounded annually at the rate applied to judgments (9%), commencing March 3, 1999, to the following heirs in proportion to their contributions, as follows: Faith Anderson 41%, Marianne Schenk 10%, and Alice Nolan 49%.

Respondent Thomas Michael Doyle shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18078 - In re: Gerald David William North. Disciplinary Commission.

The alternative request of respondent Gerald David William North for a hearing on the Administrator's petition to impose reciprocal discipline is allowed. This matter is referred to the Hearing Board of the Attorney Registration and Disciplinary Commission for a hearing pursuant to Supreme Court Rule 763.

Order entered by the Court.

M.R.18082 - In re: David Russell Nott. Disciplinary Commission.

The motion by David Russell Nott for transfer to disability inactive status pursuant to Supreme Court Rule 758 is allowed, and David Russell Nott is transferred to disability inactive status until further order of the Court.

Order entered by the Court.

M.R.18099 - In re: Charles W. Hahn. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Charles W. Hahn is disbarred.

Order entered by the Court.

M.R.18100 - In re: Thomas Matthew Breen. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent Thomas Matthew Breen is suspended from the practice of law for one (1) year.

Respondent Thomas Matthew Breen shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

Fitzgerald, J., took no part.

M.R.18104 - In re: Nancy A. McKeating. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Nancy A. McKeating is censured.

Order entered by the Court.

M.R.18105 - In re: Thomas Michael Giacobbe. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Thomas Michael Giacobbe is suspended from the practice of law for thirty (30) days and is required to attend the program of the Illinois Professional Responsibility Institute.

Respondent Thomas Michael Giacobbe shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18106 - In re: William Patrick Prendergast. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent William Patrick Prendergast is suspended from the practice of law for six (6) months.

Respondent William Patrick Prendergast shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

Fitzgerald, J., took no part.

M.R.18107 - In re: Colette C. Anderson. Disciplinary Commission.

The motion by Colette C. Anderson for transfer to disability inactive status pursuant to Supreme Court Rule 758 is allowed, and Colette C. Anderson is transferred to disability inactive status until further order of the Court.

Order entered by the Court.

M.R.18116 - In re: Roger L. Brown. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Roger L. Brown is suspended from the practice of law for sixty (60) days and until he successfully completes the program offered by the Illinois Professional Responsibility Institute.

Respondent Roger L. Brown shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.18122 - In re: Robert P. Aulston, III. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. As recommended by the Review Board, respondent Robert P. Aulston, III is suspended from the practice of law for ninety (90) days, with the suspension stayed in its entirety and respondent placed on probation for 180 days, subject to the following conditions:

- a. Respondent shall attend and successfully complete an appropriate course of instruction on the Illinois Rules of Professional Conduct, subject to the approval of the Administrator, within the first ninety (90) days of probation;
- b. Respondent shall continue in his course of treatment with Dr. Philip Chor, or such other qualified mental health professional acceptable to the Administrator, and shall report to Dr. Chor or such other qualified mental health professional on a regular basis of not less than once per month, with the Administrator advised of any change in attendance deemed warranted by such professional;
- c. Respondent shall comply with all treatment recommendations of Dr. Chor or such other mental health professional, including the taking of medications as prescribed;

d. Respondent shall provide to Dr. Chor, or such other qualified mental health professional, an appropriate release as required under the Confidentiality Act of the Mental Health Code, 740 ILCS 1210/1 et seq., authorizing the treating professional to disclose to the Administrator on a monthly basis respondent's attendance or lack thereof;

e. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

f. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

g. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

h. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

i. Probation shall be revoked if respondent is found to have violated any of the foregoing terms. The 90-day suspension shall commence from the date of the determination that any term of probation has been violated.

Order entered by the Court.

M.R.18123 - In re: George James William Smith. Disciplinary Commission.

The motion by George James William Smith to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.18140 - In re: Edwin Herbert Cabey. Disciplinary Commission.

The motion by Edwin Herbert Cabey to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.18152 - In re: Erick Scott Parker. Disciplinary Commission.

The motion by Erick Scott Parker to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

FRIDAY, MAY 24, 2002

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.16834 - In re: Paul Joseph Manahan. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$744.50 are assessed against Paul Joseph Manahan, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$744.50 is entered for the Attorney Registration and Disciplinary Commission and against Paul Joseph Manahan.

Order entered by the Court.

M.R.17272 - In re: Richard F. Morton. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000.00 are assessed against Richard F. Morton, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000.00 is entered for the Attorney Registration and Disciplinary Commission and against Richard F. Morton.

Order entered by the Court.

M.R.17430 - In re: Dean Eugene Poignant. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000.00 are assessed against Dean Eugene Poignant, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000.00 is entered for the Attorney Registration and Disciplinary Commission and against Dean Eugene Poignant.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

FRIDAY, MAY 24, 2002

THE FOLLOWING ANNOUNCEMENT IS MADE:

PEOPLE'S DOCKET

No. 90930 - Leamon Jordan, appellee, v. John C. Battles, appellant.

Motion by appellee, pro se, to lift this Court's order of May 16, 2001, staying the briefing schedule in this cause pending resolution of Hill v. Cowan, case No. 90229, and to begin briefing and/or for immediate release. Motion denied. Briefing of this case is held in abeyance pending disposition of People v. Lee, case Nos. 93221, 93363 cons.

Order entered by the Court.

Motion by appellee, pro se, to enforce the judgment of the Circuit Court of Will County entered on February 16, 2001, in case No. 81 CF 178, Jordan v. Battles, and to vacate this Court's stay order entered on February 16, 2001. Motion denied. Briefing of this case is held in abeyance pending disposition of People v. Lee, case Nos. 93221, 93363 cons.

Order entered by the Court.